

REMARKS

Claims 2, 8-17, 19-43, and 45 are pending, of which claims 2, 17, 19-43, and 45 have been examined, while claims 8-16 are withdrawn. Of the examined claims 2, 17, 19-43, and 45, claims 2, 24, 30, and 38 are independent. By virtue of this response, the independent claims 2, 24, 30 and 38 are amended. Claims 1, 3-7, 18, and 44 are cancelled, or were previously cancelled. No new matter has been added.

Claims 2, 17, 19-23, 25, 26, 31, 32, 39, 40, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,380,007 to Koyama (Koyama) in view of U.S. Patent No. 6,447,612 to Moriyama et al. (Moriyama). Claims 24, 27-30, 33-38, and 41-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama.

Regarding the rejection of claim 2 under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Moriyama, Applicant respectfully submits that neither Koyama nor Moriyama, nor any proper combination of the two, discloses or properly suggests all of the limitations of independent claim 2, as amended.

Independent claim 2, as amended, recites (with emphasis added):

A light emitting device comprising:
an insulating film over a substrate having a metallic surface;
and
a light emitting element over the insulating film;
said light emitting element including:
an anode;
a cathode; and
an EL material interposed between the anode and the
cathode; and
a light shielding film provided between the light emitting
element and the substrate having the metallic surface and
overlapped with the light emitting element,
wherein a thickness of the substrate having the metallic
surface is in a range of 5 to 30 mm.

Paragraph 5 of the Office Action asserts that Koyama discloses a light shielding film, and points to FIG. 14, elements 641, 642, 643, and 520. However, even assuming for the sake of

response that this assertion is correct, Applicant submits that Koyama does not disclose or properly suggest "a light shielding film provided between the light emitting element and the substrate having the metallic surface and overlapped with the light emitting element," as recited in independent claim 2. Further, Applicant submits that Moriyama, which is cited for its teaching of "...a metal substrate for a semiconductor device," does not cure the above-discussed deficiency of Koyama.

Similarly, but with respect to the rejection of independent claim 30 under 35 U.S.C. 102(e) as being anticipated by Koyama, independent claim 30 recites, "a light shielding film provided between the light emitting element and the substrate having the metallic surface and overlapped with the light emitting element," which is neither disclosed nor properly suggested by Koyama, Moriyama, nor any proper combination of the two. With respect to claim 30, paragraph 5 of the Office Action asserts at the top of page 3 that Koyama discloses "a light shielding film (6000, 4016) adjacent the cathode (column 28, line 65)." Again, however, even assuming for the sake of response that this assertion is correct, Applicant submits that Koyama does not disclose or properly suggest the light shielding film as recited in independent claim 30, and that Moriyama does not cure this deficiency of Koyama.

Therefore, Applicant submits that independent claims 2 and 30, along with their dependent claims 17, 19-23, 32-37, and 45 are allowable for at least these reasons.

Regarding the rejection of independent claims 24 and 38 under 35 U.S.C. 102(e) as being anticipated by Koyama, Applicant respectfully submits that Koyama does not disclose or suggest all of the features of independent claims 24 and 38, as amended.

For example, independent claim 24 recites:

A light emitting device comprising:
a metal substrate;
an insulating film over a first surface of the metal substrate;
a light emitting element over the insulating film;
said light emitting element including:
an anode;
a cathode; and
an EL material interposed between the anode and the cathode, and

a substrate holder under a majority of a surface of the metal substrate opposite the first surface.

Paragraph 3 of the Office Action asserts that Koyama discloses a substrate holder, and refers to FIG. 18B, element 6001 for this disclosure. However, even assuming for the sake of response that this assertion is correct, Applicant submits that Koyama does not disclose or properly suggest, “a substrate holder under a majority of a surface of the metal substrate opposite the first surface,” as recited in independent claim 24, and that Moriyama does not cure this deficiency.

Similarly, independent claim 38 recites, “a substrate holder under a majority of a surface of the metal substrate opposite the first surface.” In accordance with the above, Applicant submits that Koyama does not disclose or properly suggest at least this feature of independent claim 38, so that claim 38 is allowable for at least this reason.

Therefore, Applicant submits that independent claims 24 and 38, along with their dependent claims 25-29 and 39-43, are allowable for at least the above reasons.

Based on the above, all claims are believed to be in condition for allowance, and such action is hereby requested in the Examiner's next official communication.

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Enclosed is a \$900.00 check, including \$110.00 for the One-Month Extension of Time fee and \$790.00 for the Request for Continued Examination (RCE) fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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